

1 Richard J. Mooney (*admitted pro hac vice*)  
2 *richard.mooney@rimonlaw.com*

3 RIMON P.C.

4 One Embarcadero Center #400

5 San Francisco, CA 94111

6 Telephone: (415) 539-0443

7 Attorneys for Plaintiff Triumphant Gold Limited

8 UNITED STATES DISTRICT COURT  
9 FOR THE SOUTHERN DISTRICT OF TEXAS  
10 HOUSTON DIVISION

11 Triumphant Gold Limited,  
12 Plaintiff,

13 v.

14 Darren Matloff,  
15 Defendant.

CASE NO. 18-CV-4770

Request for Entry of Default

1 Plaintiff Triumphant Gold Limited (“Plaintiff” or “TGL”) hereby respectfully request  
2 entry of default in this matter against Defendant Darren Matloff on the ground that said defendant  
3 has failed to appear or otherwise respond to the complaint within the time prescribed by the Federal  
4 Rules of Civil Procedure. Plaintiff served the complaint and summons on Mr. Matloff on January  
5 15, 2019, by “leaving a copy of [the complaint and summons] at the individual’s dwelling or usual  
6 place of abode with someone of suitable age and discretion who resides there” at 75 Vine St. #805 in  
7 Seattle, Washington (98121), as provided by Rule 4(e)(2)(B) of the Federal Rules of Civil  
8 Procedure. *See* Docket No. 4 (service on “30-35 year old” who was a “co-resident” who confirmed  
9 that she and Mr. Matloff each “live” at 75 Vine St. #805.


10 In addition, for the avoidance of controversy, Plaintiff completed the previously-  
11 initiated January 11, 2019 service via “mailing to the defendant by registered or certified mail, return  
12 receipt requested, a true copy of the citation with a copy of the petition attached thereto,” as  
13 provided by Rule 106 of the Texas Rules of Civil Procedure, as authorized by Rule 4(e)(1) of the  
14 Federal Rules of Civil Procedure. *See* Docket No. 5 (proof of service by registered mail – return  
15 receipt requested, along with a copy of the signed return card showing delivery on January 14).

16 The above stated facts are true as set forth in the accompanying declaration of  
17 Richard Mooney filed herewith (on the following page).

18 Respectfully submitted on February 15, 2019.

19  
20  
21 Dated: February 15, 2019

Rimon P.C.

22   
23 By: \_\_\_\_\_  
24 Richard Mooney  
25 Attorneys for Plaintiff Triumphant Gold Limited  
26  
27  
28

1  
2 I, Richard Mooney, declare as follows:

3  
4 1. I am attorney licensed to practice in the State of California and admitted to  
5 practice *pro hac vice* in this Court for this action. I am a partner at Rimon PC, counsel to Plaintiff in  
6 this action. I make this Declaration based on personal knowledge, and if called as a witness I could  
7 and would testify competently to the following facts.

8 2. The facts stated above in this request are true and correct.  
9  
10  
11  
12

13 I declare under penalty of perjury under the laws of the United States and of the  
14 States of Texas and California that the foregoing is true and correct. Executed on February 15, 2019,  
15 in San Francisco, California.

16  
17 

18 \_\_\_\_\_  
Richard J. Mooney  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28